No.



8200140

TO ALL TO WHOM THESE PRESENTS SHALL COME:

## Coker's Pedigreed Seed Company

Wilhereas, there has been presented to the

#### Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLI-CANT(S) FOR THE TERM OF eighteen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EX-LUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT

FTY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

#### SOYBEAN

'Coker 368'

In Testimong Wincrest, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington

this 31st day of August the year of our Lord one thousand nine hundred and eighty-three.

#### UNITED STATES DEPARTMENT OF AGRICULTURE FORM APPROVED AGRICULTURAL MARKETING SERVICE LIVESTOCK, POULTRY, GRAIN & SEED DIVISION OMB NO: 40-R3822 No certificate for plant variety protection may APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE be issued unless a completed application form has been received (5 U.S.C. 553). INSTRUCTIONS: See Reverse, TEMPORARY DESIGNATION OF 1b. VARIETY NAME FOR OFFICIAL USE ONLY VARIETY PV NUMBER Coker 368 KIND NAME 3. GENUS AND SPECIES NAME FILING DATE XXXX 7/12/82 2:00 P.M. Soybean FEE RECEIVED DATE Glycine max FAMILY NAME (BOTANICAL) 5. DATE OF DETERMINATION **\$** .500.00 7/12/82 \$ 250,00 7/15/83 March. 1982 Leguminosae NAME OF APPLICANT(S) 7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP **TELEPHONE AREA** Code) P.O. Box 340 CODE AND NUMBER Coker's Pedigreed Seed Co. Hartsville, S.C. 29550 803-332-8154 IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF 10. IF INCORPORATED, GIVE STATE AND 11. DATE OF INCOR-ORGANIZATION: (Corporation, partnership, association, etc.) DATE OF INCORPORATION PORATION Corporation South Carolina June 12, 1918 NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE **ALL PAPERS:** Joshua J. Stanton Coker's Pedigreed Seed Company P.O. Box 340, Hartsville S.C. 29550 CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED: [X] 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.) X 138. Exhibit B, Novelty Statement. 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.) 13D. Exhibit D, Additional Description of the Variety. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) YES DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE 14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUC-14b. LIMITED AS TO NUMBER OF GENERATIONS? TION BEYOND BREEDER SEED? X YES FOUNDATION X REGISTERED X CERTIFIED DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? X NO (If "Yes," give 15a. name of countries and dates,) |X NO (If "Yes," give name of countries 15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES and dates, DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL 16. JOURNAL? YES The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be 17. replenished upon request in accordance with such regulations as may be applicable. The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act. Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties. (SIGNATURE OF APPLICANT)

E. Joe Dahmer (SIGNATURE OF APPLICANT)

Near

(DATE)

#### INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

#### **ITEM**

- Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties:

  (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.



## 13 A. EXHIBIT A, ORIGIN AND BREEDING HISTORY OF VARIETY COKER 368 SOYBEANS

$\underline{\text{Year}}$	Gen.	Activity
1973	,	Cross: Coker 71-211 x Centennial
1974	$\mathbf{F}_{1}$	Grown in Field
1975	$\mathbf{F_2}$	Bulk Rows 242-151
1976	$\mathbf{F_3}$	Winter Greenhouse
1976	$\mathbf{F_4}$	Field F <sub>4</sub> 142-151; Plants Selected
1977	$\mathbf{F_5}$	Progeny Row 1372
1978	$\mathbf{F}_{6}$	2 Row Observation Plot CN-281
1979	$\mathbf{F_7}$	Replicated Yield Trial; Assigned Breeding No. Coker 79-501
1980	F <sub>8</sub>	Replicated Yield Trials; Public Agency testing; Initial seed increase
1981	$\mathbf{F_9}$	Further Company and Public Agency testing; Breeder Seed Produced
1982	F <sub>10</sub>	Registered Seed Sold

Variants: As many as .5% imperfect black hila

Evidence of Stability: After observing plants and seed for four generations since the line was isolated, plant and seed characters have been uniform.

## 13 B. EXHIBIT B, NOVELTY STATEMENT COKER 368 SOYBEANS

Coker 368 is most similar to Foster. However, Coker 368 has white flowers whereas Foster has purple flowers. Seed coat peroixidase activity tests indicate that Coker 368 has a negative reaction whereas Foster has a positive reaction.

FORM GR-470-2 (6-15-72)

# UNITED STATES DEPARTMENT OF AGRICULTURE AGRICULTURAL MARKETING SERVICE GRAIN DIVISION HYATTSVILLE, MARYLAND 20782

EXHIBIT C (Soybean)

000004**4**0

#### OBJECTIVE DESCRIPTION OF VARIETY

INSTRUCTIONS: See Reverse.	SOYBEAN (GL	YCINE MAX)	
NAME OF APPLICANT(S)  Coker's Pedigreed Seed Company			FOR OFFICIAL USE ONLY
ADDRESS (Street and No., or R.F.D. No.; City, State, and	d ZIP Code)		PVPO NUMBER 200140
P.O. Box 340			VARIETY NAME OR TEMPORARY
Hartsville, S.C. 29550			Coker 368
Place the appropriate number that describes th	e varietal cha	ractor of this varia	
3. SEED SHAPE:	e varietar cha	facter of this varie	ty in the boxes below.
2 = SPHERICAL 2 = SPHERICAL FLATTENED	3 = ELONGAT	re 4=other	(Specify)
2. SEED COAT COLOR:	the second second		SHADE
1 = YELLOW 2 = GREEN 5 = OTHER (Specify)	3 = BROWN		1 2 1 = LIGHT 2 = MEDIUM 3 = DARK
3. SEED COAT LUSTER:		4. SEED SIZE	
2 l = DULL 2 = SHINY		/ 4 GRAMS PE	R 100 SEEDS
5. HILUM COLOR:	na na garanta kawasa Tanggaranta kawasa		SHADE:
1 1=BUFF 2=YELLOW 3=BROWN	4 = GRAY	5 = IMPERFECT BLACK	
6 = BLACK 7 = OTHER (Specify)			1 2 1 = LIGHT 2 = MEDIUM 3 = DARK
6. COTYLEDON COLOR:	11. 1	7. LEAFLET SIZE (	See Reverse);
1 = YELLOW 2 = GREEN	and the second s	3 1 = SMALL	2 = MEDIUM 3 = LARGE
8. LEAFLET SHAPE:		Marin Danish (2004)	To the risk of the payment with the second of
2 = OVATE 2 = OBLONG 3 = LANCE	OLATE: 4=	ELLIPTICAL 5 =	OTHER (Specify)
9. LEAF COLOR (See reverse):			10. FLOWER COLOR:
2 I = LIGHT GREEN 2 = MEDIUM GREEN	3 = DARK	GREEN	1 = WHITE 2 = PURPLE 3 = OTHER (Specify)
11. POD COLOR:		12: POD SET:	the later of the large specific and page states that the later of the
1 = TAN 2 = BROWN 3 = BLACK		2 = SCATTE	RED 2 = CONCENTRATED 4.1 1991
13. PLANT PUBESCENCE COLOR:			SHADE:
1 = GRAY 2 = BROWN 3 = OTHER			2 1 = LIGHT 2 = MEDIUM 3 = DARK
14. PLANT TYPES (See Reverse):	23 11 11 11 11 11	15. PLANT HABIT:	
2 1 = SLENDER 2 = BUSHY 3 = INTERME	EDIATE	1 = DETERMI 3 = OTHER (S	
16. HYPOCOTYL COLOR:	. ala en	17. SEED PROTEIN:	
1 = GREEN 2 = PURPLE		2 1 = A 3 3 3	2 = 8 1
18. NUMBER OF DAYS TO FLOWERING (Place a zero in first box (e.g. 0 9 ) when		=0 \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	4=11 5=111
days are 9 or less.) 10 6 =	er e	=v. 8=vi	
20. SIZE OF 10 DAY OLD SEEDLING GROWN UNDER CO			10 = VIII
MM. LENGTH MN OF SEEDLING	A. LENGTH COTYLEDON		MM. WIDTH OF COTYLEDON
21. DISEASE: (Enter 0 = Not Tested; 1 = Susceptible; 2 =	Resistant)		
2 BACTERIAL 2 SOYBEAN 0 DOWN MILDE		PURPLE 0	POD AND 2 ROOT KNOT
0 FROGEYE 0 STEM 0 PHYT		BROWN STEM ROT 0	TARGET 0. BROWN
0 BUD 2 WILDFIRE 0 RHIZO	OCTONIA 2	OTHER (Specify) La	

#### INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for completing this form:

- 1. Scott, Walter O. and Samuel R. Aldrich, 1970, Modern Soybean Production, The Farmer Quarterly.
- 2. Norman, A. G., 1963, The Soybean: Genetics, Breeding, Physiology, Nutrition, Management.

化水层 电超级存储流程度 中医女性 经基本

3. McKie, J. W., and K. L. Anderson, 1970, The Soybean Book.

LEAF COLOR: Nickerson's or any recognized color fan may be used to determine the leaf color of the described variety. The following Soybean varieties may be used as a guide to identify the colors listed on the form.

COLOR	VARIETY
Light Green	''Ada''
Medium Green	"Wilkin"
Dark Green	"Swift"

LEAF SIZE: The following varieties may be used as a guide to identify the relative size leaves.

SIZE			VARIETY
Small	1	200 miles 24 / 19	"Amsoy"
Medium			"Bonus"
Large	150 mm	a arresa i ing <mark>a</mark> a	"'Anoka"

PLANT TYPE: The following varieties may be used as a guide to identify the plant type.

TYPE	- 現代大夫 1人ので とからことのよう	· VARIETY
Slender	e Manyali, ili	''Vansoy''
Intermedia	te-	"Wirth"
Bushy	te-	''Adelphia''

His used Veed Company

## 13 D. EXHIBIT D, ADDITIONAL DESCRIPTION OF VARIETY COKER 368 SOYBEANS

Analyses performed at the Seed Standardization Branch of USDA at Beltsville indicate that Coker 368 has the following reactions:

Urease: Slow

Dehydrogenase: 2 Bands

Esterase: Light

Protein: B

Coker 368 is resistant to the following diseases:

- 1. Cyst nematode races 1,3
- 2. Root Knot nematode, M. incognita
- 3. Lance nematode
- 4. Red Crown Rot, Cylindrocladium crotalariae
- 5. Various Senescence stage leaf diseases



County Maker (John)
TRANSFER OF OWNERSHIP

In consideration of the formation of a research partnership, which is named CR Seeds with its principal offices at 900 Darlington Highway, Hartsville, S.C. 29550, and of which Coker's Pedigreed Seed Company, Hartsville, S.C., is a partner, Coker's Pedigreed Seed Company does hereby convey to CR Seeds, free from all encumbrances, ownership of the following protected varieties:

#### Wheat Varieties

Variety Name	Plant Variety Certificate No.	Issue Date
Coker 68-15	7200014	March 6, 1974
Coker 68-19 .	7200015	March 6, 1974
Coker 747	76TQ015	September 9, 1978
Coker 762	8000152	December 12, 1981
Coker 797	8000145	December 12, 1981

#### Oat Varieties

Variety Name	Plant Variety Certificate No.	Issue Date
Coker 227	7500007	October 20, 1977
Coker 716	7900003	December 28, 1978
Coker 234	7500008	October 26, 1977
Four Twenty-Two	7700085	April 12, 1979
Big Mac	8200121	August 19, 1982
Mesquite	8200122	August 19, 1982

#### Soybean Varieties

Variety Name	Plant	Variety Certificate	e No.	Issue Date
Coker-Hampton 266A		7100022		September 6, 1973
Coker 136		7300091	. •	October 18, 1973
Coker 338	100	7400058		October 29, 1976
Coker 237		7800034		July 13, 1978
Coker 488		7900035		July 13, 1978
Coker 156		7900043		November 27, 1979
Coker 317		8100095	• •	November 19, 1981
Coker 368	, di	8200140		August 31, 1983.

COKER'S PEDIGREED SEED CO.

λ: <sup>\_\_</sup>

E. Joe Dahmer, President

Date:

Sworn and subscribed to before me this 29 day of February, 1984.

Notary Public for South Compline

RUTH SILBER
NOTARY PUBLIC, State of New York
No. 31-8994050
Qualified in New York County
Commission Expires March 30, 1984

State of County. TRANSFER OF APPLICATIONS FOR

#### PLANT VARIETY PROTECTION

In consideration of the formation of a research partnership, which is named CR Seeds with its principal offices at 900 Darlington Highway, Hartsville, S.C. 29550, and of which Coker's Pedigreed Seed Company is a partner, Coker's Pedigreed Seed Company does hereby convey to CR Seeds, free from all encumbrances, ownership of the following applications for Plant Variety Protection:

#### Wheat Varieties

Variety Name	Application No.	Date of Filing
Coker 916	830036	January 11, 1983
Coker 983	Application Mailed to RVP Office on	February 17, 1984
		·
	Oat Varieties	
Variety Name	Application No.	Date of Filing
Coker 820	Application Mailed to PVP Office on	February 24, 1984
	Carban Vanishia	
	Soybean Varieties	
Variety Name	Application No.	Date of Filing
Coker 393	8400018	November 18, 1983
Coker 355	8400019	November 18, 1983

COKER'S PEDIGREED SEED CO.

Dahmer. President .

Sworn and subscribed to before me day of February, 1984.

Notary Public for

NOTARY PUBLIC, State of Man No. 31-8994050 Qualified in New York Court Commission Expires Merch 30, 1984

#### ASSIGNMENT

WHEREAS, CR Seeds, a general partnership having it principal office at 900 Darlington Highway, Hartsville, South Carolina 29550 ("Partnership"), is the owner of the entire right, title and interest to the United States Plant Variety Protection Certificates and applications for such Certificates (collectively "Certificates") listed on Appendix A attached hereto;

WHEREAS, the partners of CR Seeds, Rohm and Haas Seeds Inc., a Delaware corporation having its principal office at Independence Mall West, Philadelphia, PA 19105 ("RHS") and Coker's Pedigreed Seed Company, a South Carolina corporation with its principal office at 900 Darlington Highway, Hartsville, SC 29550 ("CPS"), are each desirous of acquiring a one-half undivided interest in the varieies and Certificates listed on Appendix A;

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, CR Seeds does hereby sell, assign and transfer to RHS a one-half undivided interest in and to the varieties and Certificates and to CPS a one-half undivided interest in and to the varieties and Certificates for each of their use and benefit and for each of their successors and assigns.

IN TESTIMONY THEREOF, CR Seeds intending to be legally bound has caused this assignment to be executed by its duly authorized officer.

CR Seeds

President

State of South Carolina )ss County of Darlington )ss

On this 30th day of December, 1986, before me appeared E. Joe Dahmer of CR Seeds, the person who signed this instrument who acknowledged that he signed it as a free act on behalf of CR Seeds with authority to do so.

oyary Public

My commission expires

27

#### APPENDIX A

### Soft Red Winter Wheat Varieties

U.S. Plant Variety Certificate No.	Issue Date
7200014	Mar. 6, 1974
7200015	Mar. 6, 1974
76TQ015	Sept. 9, 1978
8000152	Dec. 12, 1981
8000145	Dec. 12, 1981
8300036	Sept. 27, 1985
8400058 <sup>1</sup>	Feb. 27, 1984 <sup>1</sup>
7200038	Feb. 26, 1974
7200037	April 8, 1975
84001361	July 16, 1984 <sup>1</sup>
86000091	Oct. 22, 1985 <sup>1</sup>
86000101	Oct. 22, 1985 <sup>1</sup>
	7200014 7200015 76TQ015 8000152 8000145 8300036 8400058 <sup>1</sup> 7200038 7200037 8400136 <sup>1</sup> 8600009 <sup>1</sup>

<sup>1.</sup> Application number and filing date.

## Winter Oat Varieties

Variety Name	U.S. Plant Variety Certificate No.	Issue Date
Coker 227	7500007	Oct. 20, 1977
Coker 716	7900003	Dec. 28, 1978
Coker 820	84000591	Feb. 28, 1984 <sup>1</sup>
Coker 234	7500008	Oct. 26, 1977
Four Twenty Two	7700085	Apr. 12, 1979
Big Mac	8200121	Aug. 19, 1982
Mesquite	8200122	Aug. 19, 1982

<sup>1.</sup> Application number and filing date.

### Soybean Varieties

Coker		
Hampton 266A	7100022	Sept. 6, 1973
Coker 136	7300091	Oct. 18, 1973
Coker 338	7400058	Oct. 29, 1976
Coker 237	7800034	July 13, 1978
Coker 488	7800035	July 13, 1978
Coker 156	7900043	Nov. 27, 1979
Coker 317	8100095	Nov. 19, 1981
Coker 368	8200140	Aug. 31, 1983
Coker 425	8400077	May 31, 1985
Coker 485	8400078	May 31, 1985
Coker 393 (0327-4270)	8400018	Jan. 25, 1985
Coker 355 (XP5878)	8400019	Jan. 25, 1985
Coker 627	87000011	Oct. 3, 1986 <sup>1</sup>
Coker 686	Pending <sup>1</sup>	Dec. 19, 1986

<sup>1.</sup> Application number and filing date.

EXHIBIT A

Plant Variety Protection Certificates (Section 5.15(a)(ii)):

### Soybean Varieties

Varie Name		U.S. Plant Variety Certificate Number	Issue Date	Term (Yrs.)
Coker Hampto	on 266A	7100022	Sept. 6, 1973	17
Coker	136	7300091	Oct. 18, 1973	17
Coker	338	7400058	Oct. 29, 1976	17
Coker	237	7800034	July 13, 1978	17
Coker	488	7800035	July 13, 1978	17
Coker	156	7900043	Nov. 27, 1979	17
Coker	317	8100095	Nov. 19, 1981	18
Coker	368	8200140	Aug. 31, 1983	18
Coker	425	8400077	May 31, 1985	18
Coker	485	8400078	May 31, 1985	18
Coker	393	8400018	Jan. 25, 1985	18
Coker (XP58		8400019	Jan. 25, 1985	18
Coker	627	8700001	May 29, 1987	18
Coker	686	8700035	May 29, 1987	18
	6738	8700158	March 31, 1988	18
	6727	8700157	Sept. 30, 1987	18
	6847	8800127(1)	April 13, 1988(1)	

<sup>(1)</sup> Application number and filing date.

Variety Name	U.S. Plant Variety Certificate No.	Issue Date
AP5 5	8100089	Feb. 18, 1982
AP70	7800081	Feb. 15, 1979
AP71	8100090	Sept. 24, 1981
Lancer	7600044	Sept. 29, 1976
RA-526	7500067	Dec. 12, 1975
RA-604	7900008	Mar. 1, 1975
RA-680	8100097	Apr. 15, 1982
RA-502	8200160	Aug. 31, 1983
RA-606	8200161	Oct. 27, 1983
RA-580	8300075	Apr. 30, 1984
Mitchell	7300054	Oct. 30, 1974
RA-401	7800030	June 22, 1978
RA-601	7800031	June 22, 1978
Mitchell 450	7900046	June 14, 1979
RA-481	8000054	Mar. 26, 1981
RA-402	8000093	July 31, 1981
Mitchell 410	8200162	Oct. 27, 1983
RA-403	8200163	Oct. 27, 1983

Variety Name	Certificate No.	Issue Date
RA-451	8500008 <sup>1</sup>	Oct. 10, 1984 <sup>1</sup>
RA-452	8500009 <sup>1</sup>	Oct. 10, 1984 <sup>1</sup>
RA-405	8500010 <sup>1</sup>	Oct. 10, 1984 <sup>1</sup>
RA-501 A	76TQ006	May 11, 1978
RA-480	7900007	Feb. 15, 1979

<sup>1.</sup> Application number and filing date.

#### ASSIGNMENT

WHEREAS, Rohm and Haas Seeds Inc., a Delaware corporation having its principal office at Independence Mall West, Philadelphia, PA 19105 ("RHS"), is the owner of a one-half undivided interest in and to the United States Plant Variety Protection Certificates and applications for such Certificates (collectively "Certificates") listed on Appendix A attached hereto:

WHEREAS, Coker's Pedigreed Seed Company, a South Carolina corporation with its principal office at 900 Darlington Highway, Hartsville, SC 29550 ("CPS"), is desirous of acquiring this onehalf undivided interest in the aforementioned varieties and Certificates:

NOW, THEREFOR, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, RHS does hereby sell, assign and transfer to CPS RHS's one-half undivided interest in and to the varieties and Certificates for CPS's use and benefit and for its successors and assigns.

IN TESTIMONY THEREOF, RHS intending to be legally bound has caused this assignment to be executed by its duly authorized officer.

By: Hamil a. Augher Assistant Treasurer

On this 3/t day of December . 1986, before me appeared Howard A. Mergelkamp of Rohm and Haas Seeds Inc., the person who signed this instrument who acknowledged that he signed it as a free act on behalf of Rohm and Haas Seeds Inc. with authority to do so.

Elizabeth Q. Smith Wotary Public

Notary Public, Phila., Phila. Co.

My commission expires My Commission Expires Oct. 74, 1989

#### ASSIGNMENT OF PLANT VARIETY PROTECTION CERTIFICATES

WHEREAS, COKER'S PEDIGREED SEED COMPANY, a South Carolina corporation ("Coker's"), having its offices at 900 Darlington Highway, Hartsville, South Carolina 29550, has adopted and used and is the sole and exclusive owner of certain United States Plant Variety Protection Certificates and similar rights under laws of countries other than the United States as listed in Exhibit A hereto:

WHEREAS, COKER'S PEDIGREED SEED CO. and NORTHRUP KING CO., a Delaware corporation ("NK"), have entered into an Asset Purchase Agreement, dated July 20, 1988, providing for the purchase and sale of substantially all of the assets and business of Coker's and the assumption of certain of Coker's liabilities and obligations by NK; and

WHEREAS, NK desires to acquire the right, title and interest in, to and under the Plant Variety Protection Certificates listed on Exhibit A hereto and the pending applications hereto (collectively, the "Plant Variety Protection Certificates").

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, Coker's hereby sells, assigns, transfers and sets over to NK the Plant Variety Protection Certificates. Coker's further agrees, at no cost to it, to execute and deliver to NK, upon the request of NK, any further instrument of assignment that may be necessary to effectuate the transfer of each Plant Variety Protection Certificate.

IN WITNESS WHEREOF, Coker's has caused this instrument to be executed by its duly authorized representative as of the 20th day of July, 1988.

COKER'S PEDIGREED SEED COMPANY

By:
E. Joe Dahmer
President

STATE OF MINNESOTA )
) ss:
COUNTY OF HENNEPIN )

On this day of July, 1988, before me, a Notary Public in and for the County aforesaid, the undersigned officer, E. Joe Dahmer, personally appeared and acknowledged himself to be the President of Coker's Pedigreed Seed Co., and that he executed the foregoing instrument for the purposes therein.

WITNESS my hand and seal this 20th day of July, 1988.



Motary Public

### State of Delaware

## Office of the Secretary of State

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "NORTHRUP KING CO.", CHANGING ITS NAME FROM "NORTHRUP KING CO." TO "NOVARTIS SEEDS, INC.", FILED IN THE OFFICE ON HE THERTIETH DAY OF DECEMBER, A.D. 1994, AL9 D'SLOCK A.M.

THE NEW SASTLE COMPANY RECORDS OF DEPARTED RECORDING



Edward J. Freel, Secretary of State

0829320 38100

960389892

AUTHENTICATION:

8267947

DATE:

12-31-96

## CERTIFICATE OF AMENDMENT OF CERTIFICATE OF INCORPORATION

OF

#### NORTHRUP KING CO.

It is certified that:

- 1. The name of the corporation (hereinafter called the "Corporation") is Northrup King Co.
- 2. The Certificate of Incorporation of the Corporation is hereby amended by striking out Section 1 thereof and by substituting in lieu of said Section the following new Section.
  - 1. The name of the Corporation is Novartis Seeds, Inc.
- 3. The amendment of the certificate of incorporation herein certified has been duly adopted and written consent has been given in accordance with the provisions of Sections 228 and 242 of the General Corporation Law of the State of Delaware.
  - 4. The effective date of the amendment herein certified shall be January 1,1997.

Signed on December 27, 1996.

Edward C. Resler

Vice President & Secretary